

REMARKS

The Office Action mailed December 11, 2008, has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 3-7, 10-16, 18-22, and 25-30 are pending in this application. Claims 1, 3-7, 10-16, 18-22, and 25-30 stand rejected.

The rejection of Claims 1, 5-7, 10-13, 16, 20-22, and 25-28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,234,161 to Levi et al. (hereinafter referred to as "Levi") in view of U.S. Patent No. 4,899,028 to Arai et al. (hereinafter referred to as "Arai") is respectfully traversed.

Levi describes a gas cooking appliance (2) including a cooktop (5) that includes an upper peripheral portion (13) and a recessed well area (15). A chamber (123) is defined by cooktop (5) and by an isolation pan (102) coupled to an underside of cooktop (5). Peripheral portion (13) includes a plurality of air openings (120 and 121) defined therein. Peripheral portion (13) and openings (120 and 121) are located above gas burners (20), (21), (22) and (23), to enable air to be drawn into chamber (123). A central set of openings (124) are also defined on peripheral portion (13) to enable air to be exhausted from an oven cavity (38). As shown in Figure 1, openings (120, 121 and 124) are flush with the peripheral portion (13) of cooktop (5). Notably, Levi does not describe nor suggest a vent trim that includes a top surface that is offset a distance above a top surface of the cooktop such that a plurality of openings are positioned above at least one vent cut defined in the cooktop, to facilitate isolating the openings from spills on the cooktop.

Arai describes a cooking apparatus that includes a casing (16), a heating coil (17), a cooling unit (19), a top plate (20) and a grill (22). Grill (22) is coupled to a portion of top plate (20). Grill (22) includes front and rear suction ports (27 and 27)' to provide cooling air (33) to the cooling unit (19) and to further exhaust surrounding cooking air through exhaust device (23). Notably, Arai does not describe nor suggest a vent trim that includes a top surface that is offset a distance above a top surface of the cooktop such that a plurality of openings are positioned above at least one vent cut defined in the cooktop, to facilitate isolating the openings from spills on the cooktop.

Claim 1 recites an air inlet system for a gas cooking apparatus having at least one gas

burner and a burner box around the at least one gas burner, wherein the air inlet system comprises “a cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into the burner box . . . a vent trim attached to said cooktop and covering said at least one peripheral vent cut, said vent trim comprising a top surface offset a distance above a top surface of said cooktop, said vent trim top surface comprising a plurality of second openings defined therein, said second openings aligned above said at least one peripheral vent cut, said vent trim facilitating isolating said plurality of second openings from spills on said cooktop, an attachment portion overlapping said top surface of said cooktop, said attachment portion extending along substantially a full length of said at least one peripheral vent cut, and at least one clip overlapping a bottom surface of said cooktop, said vent trim surface defining an underlying cavity, wherein said second openings are configured to allow outside air to enter the burner box through said vent trim.”

No combination of Levi and Arai describes nor suggests an air inlet system for a gas cooking apparatus as is recited in Claim 1. More specifically, no combination of Levi and Arai describes nor suggests a vent trim attached to a cooktop and covering at least one peripheral vent cut, wherein the vent trim includes a top surface that is offset a distance above a top surface of the cooktop, to facilitate isolating a plurality of openings defined in the vent trip from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, and Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking fumes through an exhaust device. For at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Levi in view of Arai.

Claims 5-7 depend from independent Claim 1. When the recitations of Claims 5-7 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 5-7 are likewise patentable over Levi in view of Arai.

Claim 10 recites an air inlet system for a gas cooking apparatus having at least one gas burner and a burner box around the at least one gas burner, wherein the air inlet system comprises “a cooktop configured to cover the burner box and having at least one peripheral vent cut configured to vent outside air into the burner box . . . an elongated cover member attached to a top face and a bottom face of said cooktop and covering said at least one peripheral vent cut, said cover member having a top surface with openings configured to

allow outside air to enter said at least one peripheral vent cut through said cover member, said top surface offset a distance above said top face of said cooktop and said at least one peripheral vent cut, said cover member facilitating isolating said openings from spills on said cooktop, said surface defining an underlying cavity, said cover member comprising at least one tab said top face, and said cover member comprising an attachment portion having a lip extending substantially along a length of said cover member, said lip engaging said bottom face along substantially a full length of said at least one peripheral vent cut.”

No combination of Levi and Arai describes nor suggests an air inlet system for a gas cooking apparatus as is recited in Claim 10. More specifically, no combination of Levi and Arai describes nor suggests an elongated cover member attached to a top face and a bottom face of a cooktop and covering at least one peripheral vent cut, the cover member having a top surface with openings configured to allow outside air to enter the at least one peripheral vent cut through the cover member, wherein the top surface is offset a distance above the top face of the cooktop such that the cover member facilitates isolating the openings from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, and Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking fumes through an exhaust device. For at least the reasons set forth above, Applicants respectfully submit that Claim 10 is patentable over Levi in view of Arai.

Claims 11-13 depend from independent Claim 10. When the recitations of Claims 11-13 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 11-13 are likewise patentable over Levi in view of Arai.

Claim 16 recites a gas cooking apparatus having at least one gas burner and a burner box around the at least one gas burner wherein the gas cooking apparatus comprises “a cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into said burner box . . . a vent trim attached to said cooktop and covering said at least one peripheral vent cut, said vent trim comprising a top surface offset a distance above a top surface of said cooktop, and comprising a plurality of second openings defined therein, said plurality of second openings aligned above said at least one peripheral vent cut, said vent trim facilitating isolating said second openings from spills on said cooktop, an attachment portion overlapping said top surface of said cooktop, said

attachment portion extending along a full length of said at least one peripheral vent cut, and at least one clip overlapping a bottom surface of said cooktop, said vent trim surface defining an underlying cavity, wherein said second openings are configured to allow outside air to enter said burner box through said vent trim.”

No combination of Levi and Arai describes nor suggests a gas cooking apparatus as is recited in Claim 16. More specifically, no combination of Levi and Arai describes nor suggests a vent trim attached to a cooktop and covering at least one peripheral vent cut, wherein the vent trim includes a top surface that is offset a distance above a top surface of the cooktop, to facilitate isolating a plurality of openings defined in the vent trip from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, and Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking fumes through an exhaust device. For at least the reasons set forth above, Applicants respectfully submit that Claim 16 is patentable over Levi in view of Arai.

Claims 20-22 depend from independent Claim 16. When the recitations of Claims 20-22 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claims 20-22 are likewise patentable over Levi in view of Arai.

Claim 25 recites a gas cooking apparatus having at least one gas burner and a burner box around the at least one gas burner, wherein the gas cooking apparatus comprises “a sealed cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into said burner box to provide air for said gas burner . . . an elongated cover member attached to a top face and a bottom face of said cooktop and covering said at least one peripheral vent cut, said cover member having a top surface with openings configured to allow outside air to enter said at least one peripheral vent cut through said cover member, said top surface offset a distance above said top face of said cooktop and said at least one peripheral vent cut, said cover member facilitating isolating said openings from spills on said cooktop, said surface defining an underlying cavity, said cover member comprising at least one tab engaging said top face, and said cover member comprising an attachment portion having a lip extending substantially along a length of said cover member, said lip engaging said bottom face along substantially a full length of said at least one peripheral vent cut.”

No combination of Levi and Arai describes nor suggests an air inlet system for a gas cooking apparatus as is recited in Claim 25. More specifically, no combination of Levi and Arai describes nor suggests an elongated cover member attached to a top face and a bottom face of a cooktop and covering at least one peripheral vent cut, the cover member having a top surface with openings configured to allow outside air to enter the at least one peripheral vent cut through the cover member, wherein the top surface is offset a distance above the top face of the cooktop such that the cover member facilitates isolating the openings from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, and Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking fumes through an exhaust device. For at least the reasons set forth above, Applicants respectfully submit that Claim 25 is patentable over Levi in view of Arai.

Claims 26-28 depend from independent Claim 25. When the recitations of Claims 26-28 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claims 26-28 are likewise patentable over Levi in view of Arai.

For at least the reasons set forth above, Applicants respectfully request that the Section 103(a) rejection of Claims 1, 5-7, 10-13, 16, 20-22, and 25-28 be withdrawn.

The rejection of Claims 3, 4, 14, 15, 18, 19, 29, and 30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,234,161 to Levi et al. in view of U.S. Patent No. 4,899,028 to Arai et al. and in further view of U.S. Patent No. 5,653,219 to Taplan et al. (hereinafter referred to as "Taplan") is respectfully traversed.

Levi and Arai are described above. Taplan describes a drop-in cooktop (1) that includes a pan-shaped base (5) and a continuous glass-ceramic cook plate (2) that includes two atmospheric gas burners (3, 3') mounted therein. Cooktop (1) also includes an air-inlet device (15) that enables the primary air to the gas burner to be adjusted. Device (15) includes an outer tube or curved channel (16) that is seated in a gap defined between boundary edges (18 and 20) and includes a lateral outer opening (22) formed therein. Notably, Taplan does not describe nor suggest a vent trim that includes a top surface that is offset a distance above a top surface of the cooktop such that a plurality of openings are positioned above at least one vent cut defined in the cooktop, to facilitate isolating the openings from spills on the cooktop.

Claims 3 and 4 depend from Claim 1 which is recited above.

No combination of Levi, Arai and Taplan describes nor suggests an air inlet system for a gas cooking apparatus as is recited in Claim 1. More specifically, no combination of Levi, Arai and Taplan describes nor suggests a vent trim attached to a cooktop and covering at least one peripheral vent cut, wherein the vent trim includes a top surface offset a distance above a top surface of the cooktop, to facilitate isolating a plurality of openings defined in the vent trip from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking fumes through an exhaust device, and Taplan describes small diagonal pieces, in Figs. 6b and 6c, which couple an outer tube or curved channel, seated in a gap defined between the boundary edges, to the top surface of the cooktop. For at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Levi in view of Arai and in further view of Taplan.

Claims 3 and 4 depend from independent Claim 1. When the recitations of Claims 3 and 4 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3 and 4 are likewise patentable over Levi in view of Arai and in further view of Taplan.

Claims 14 and 15 depend from Claim 10 which is recited above.

No combination of Levi, Arai and Taplan describes nor suggests an air inlet system for a gas cooking apparatus as is recited in Claim 10. More specifically, no combination of Levi, Arai and Taplan describes nor suggests an elongated cover member attached to a top face and a bottom face of a cooktop and covering at least one peripheral vent cut, the cover member having a top surface with openings configured to allow outside air to enter the at least one peripheral vent cut through the cover member, wherein the top surface is offset a distance above the top face of the cooktop such that the cover member facilitates isolating the openings from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking

fumes through an exhaust device, and Taplan describes small diagonal pieces, in Figs. 6b and 6c, which couple an outer tube or curved channel, seated in a gap defined between the boundary edges, to the top surface of the cooktop. For at least the reasons set forth above, Applicants respectfully submit that Claim 10 is patentable over Levi in view of Arai and in further view of Taplan.

Claims 14 and 15 depend from independent Claim 10. When the recitations of Claims 14 and 15 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 14 and 15 are likewise patentable over Levi in view of Arai and in further view of Taplan.

Claims 18 and 19 depend from Claim 16 which is recited above.

No combination of Levi, Arai and Taplan describes nor suggests a gas cooking apparatus as is recited in Claim 16. More specifically, no combination of Levi, Arai and Taplan describes nor suggests a vent trim attached to a cooktop and covering at least one peripheral vent cut, wherein the vent trim includes a top surface offset a distance above a top surface of the cooktop, to facilitate isolating a plurality of openings defined in the vent trip from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking fumes through an exhaust device, and Taplan describes small diagonal pieces, in Figs. 6b and 6c, which couple an outer tube or curved channel, seated in a gap defined between the boundary edges, to the top surface of the cooktop. For at least the reasons set forth above, Applicants respectfully submit that Claim 16 is patentable over Levi in view of Arai and in further view of Taplan.

Claims 18 and 19 depend from independent Claim 16. When the recitations of Claims 18 and 19 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claims 18 and 19 are likewise patentable over Levi in view of Arai and in further view of Taplan.

Claims 29 and 30 depend from Claim 25 which is recited above.

No combination of Levi, Arai and Taplan describes nor suggests an air inlet system

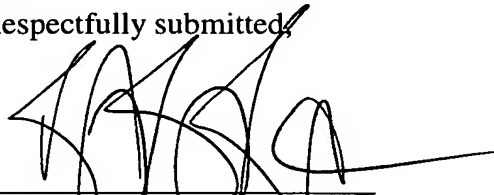
for a gas cooking apparatus as is recited in Claim 25. More specifically, no combination of Levi, Arai and Taplan describes nor suggests an elongated cover member attached to a top face and a bottom face of a cooktop and covering at least one peripheral vent cut, the cover member having a top surface with openings configured to allow outside air to enter the at least one peripheral vent cut through the cover member, wherein the top surface is offset a distance above the top face of the cooktop such that the cover member facilitates isolating the openings from spills on the cooktop. Rather in contrast, Levi describes a gas cooking appliance that includes a cooktop that includes an upper peripheral portion that includes a plurality of air openings that are flush with the top of the cooktop, Arai describes a grill for providing cooling air to a cooling unit of a cooking apparatus and for exhausting cooking fumes through an exhaust device, and Taplan describes small diagonal pieces, in Figs. 6b and 6c, which couple an outer tube or curved channel, seated in a gap defined between the boundary edges, to the top surface of the cooktop. For at least the reasons set forth above, Applicants respectfully submit that Claim 25 is patentable over Levi in view of Arai and in further view of Taplan.

Claims 29 and 30 depend from independent Claim 25. When the recitations of Claims 29 and 30 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claims 29 and 30 are likewise patentable over Levi in view of Arai and in further view of Taplan.

For at least the reasons set forth above, Applicants respectfully request that the Section 103(a) rejection of Claims 3, 4, 14, 15, 18, 19, 29, and 30 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. B. Reeser', written over a horizontal line.

Robert B. Reeser
Registration No. 45,548
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070